

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

HB 2377 - SB 2342

February 12, 2016

SUMMARY OF BILL: Requires all biological evidence in cases where the defendant was sentenced to death to be preserved until the defendant is executed or completes his or her sentence. Authorizes the intentional destruction of the evidence to result in appropriate relief or sanctions.

ESTIMATED FISCAL IMPACT:

NOT SIGNIFICANT

Assumptions:

- From year 2000 to 2010, approximately 25 people were convicted of first degree murder and sentenced to death. It is assumed that three defendants each year are sentenced to death.
- The approximate time served by each person sentenced to death is 28.54 years.
- The bill will require law enforcement and court clerks to preserve biological evidence for approximately 28.54 years for three cases each year.
- Tennessee Code Annotated § 18-1-206 requires courts to preserve evidence until the appeals process is complete. Capital murder cases continue for multiple years in the appeals process. Requiring law enforcement and courts to preserve evidence in three cases each year will not significantly impact their operations.
- The Administrative Office of the Courts, the Tennessee Bureau of Investigation, and local law enforcement contacts confirm that the bill will not significantly impact their operations.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

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